

NEBRASKA ADMINISTRATIVE CODE

TITLE 23, NEBRASKA ADMINISTRATIVE CODE, CHAPTER 2

NEBRASKA DEPARTMENT OF AGRICULTURE

ANIMAL IMPORTATION REGULATIONS

January, 2004 Amended

NEBRASKA ADMINISTRATIVE CODE

TITLE 23 - NEBRASKA DEPARTMENT OF AGRICULTURE

CHAPTER 2 - ANIMAL IMPORTATION REGULATIONS

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TITLE 23 - DEPARTMENT OF AGRICULTURE, BUREAU OF ANIMAL INDUSTRY

Chapter 2 - ANIMAL IMPORTATION REGULATIONS

001 Statement of Purpose. The purpose of these regulations is to aid in administering the Animal Importation Act, Neb. Rev. Stat. §§54-784.01 to 54-796, and other acts under the department's jurisdiction and in the C.F.R. sections adopted by reference related to the importation of livestock.

002 Definitions. The definition of terms found in the Animal Importation Act and other laws and regulations under the department's jurisdiction and in the C.F.R. sections adopted by reference related to the importation of livestock shall apply to such terms when found in these regulations, except where inconsistent, in which case definitions in the Animal Importation Act and these regulations control. The terms and their definitions set out in this section shall have the same meaning throughout these regulations.

002.01 ACCREDITATION PREPARATORY STATE or ZONE means a state or zone that complies with the provisions of "Uniform Methods and Rules - Bovine Tuberculosis Eradication" and in which tuberculosis is prevalent in less than one-half of one percent (0.5%) of cattle herds in the state.

002.02 ACCREDITED FREE STATE or ZONE means a state or zone that has zero percent (0%) herd prevalence of tuberculosis affected cattle herds, or one (1) infected herd during the previous twelve (12) months, and complies with the provisions of "Uniform Methods and Rules - Bovine Tuberculosis Eradication."

002.03 ACCREDITED VETERINARIAN means a veterinarian approved by APHIS in accordance with 9 C.F.R. subchapter J (2003).

002.04 ADMINISTRATOR means the Administrator of the Animal and Plant Health Inspection Service of the United States Department of Agriculture (APHIS), or any person authorized to act for the Administrator.

002.05 ANIMAL means (1) all vertebrate members of the animal kingdom, except humans, fish, amphibians, and reptiles Neb. Rev. Stat. §54-786(1). (2) For the purposes of Chronic Wasting Disease (CWD) ANIMAL means any captive cervid.

002.06 APHIS means the Animal and Plant Health Inspection Service of the USDA.

002.07 APPROVED EARTAG means an identification tag approved by APHIS or the Bureau which shall be placed in the ear to identify individual animals.

002.08 APPROVED LIVESTOCK FACILITY means premises where livestock are assembled for sale or sale purposes which meet the standards set forth in 9 C.F.R. §71.1 (2003) and is approved under §71.20.

002.09 BUREAU means the Bureau of Animal Industry of the Nebraska Department of Agriculture and shall include: (1) state veterinarian, deputy state veterinarian, animal epidemiologist, and any other veterinarians, livestock inspectors, investigators, and other employees all of whom are employed by the Bureau; and (2) veterinarians, animal health technicians, and investigators employed by APHIS and performing duties delegated to them by the Bureau.

002.10 CATTLE means all dairy cattle, beef cattle, and bison.

002.11 CERTIFICATE OF VETERINARY INSPECTION or HEALTH CERTIFICATE means a legible record issued by an accredited veterinarian in accordance with the requirements of the state or country of destination, recorded on an official form of the state of origin or an approved USDA form.

002.12 CERVIDAE or CERVID means any elk, deer, or other member of the family cervidae legally obtained from a facility which has a license, permit, or registration authorizing domesticated cervine animals which has been issued by the state where the facility is located and such animal is raised in a confined area.

002.13 CERVID HUNT PASTURE means a facility occupied by a cervid herd consisting entirely of animals of the same sex that is maintained for hunting purposes.

002.14 CLASS FREE, CLASS A, CLASS B, and CLASS C STATE means a state or area so classified by APHIS as provided in 9 C.F.R. §78.1 (2003).

002.15 CODE OF FEDERAL REGULATIONS (C.F.R.) means a codification of the general and permanent rules published in the *Federal Register* by the executive departments and agencies of the Federal Government revised as of January 1, 2003, copies of relevant sections which are incorporated herein by reference and are hereby adopted and promulgated and are available for viewing at the Nebraska Department of Agriculture, 301 Centennial Mall South, Fourth Floor, Lincoln, Nebraska 68509-4947.

002.16 CONCENTRATION POINT means any facility where livestock from two or more herds are assembled and subsequently dispersed to one or more locations.

002.17 CWD-ENDEMIC AREA means a county and any portion of the surrounding area, as designated by the Department, USDA, or another state's regulatory agency, where a wild cervid animal has been diagnosed with Chronic Wasting Disease (CWD).

002.18 CWD-EXPOSED ANIMAL means an animal that is part of a CWD-positive herd, or that was part of a herd within five (5) years prior to that herd's designation as CWD positive, or an animal that has been housed with or been in direct contact with a positive animal, or an animal that has been on a contaminated premises.

002.19 CWD-EXPOSED HERD means a herd in which a Chronic Wasting Disease (CWD)-positive or exposed animal has resided 60 months prior to the diagnosis of CWD.

002.20 CWD-POSITIVE ANIMAL means an animal that has had a diagnosis of CWD confirmed by means of an official CWD test.

002.21 CWD-POSITIVE HERD means a herd in which a CWD positive animal resided at the time it was diagnosed and which has not been released from quarantine.

002.22 CWD-TRACE HERD means: 1) a herd in which a CWD-positive animal resided in any of the 60 months prior to diagnosis; or 2) a herd that received exposed animals from a positive herd within 60 months prior to the diagnosis of CWD in the positive herd.

002.23 DEPARTMENT means the Nebraska Department of Agriculture or its authorized agent.

002.24 DESTINATION means a location designated on a Certificate of Veterinary Inspection where the animals imported will be unloaded at the final shipping point.

002.25 DIRECT TO SLAUGHTER means delivered directly to a recognized slaughter establishment.

002.26 EXOTIC ANIMAL means any animal whose species is not now, or was not historically, indigenous to the State of Nebraska.

002.27 EXPOSED ANIMAL means any animal that has had contact with an affected herd or infected animal such that transmission of an infective agent may have occurred.

002.28 FEEDING means the conditioning or fattening of animals in a confinement which does not contain growing grass or herbage for nutritional purposes.

002.29 GRAZING means to feed on growing grass or herbage.

002.30 HERD means (1) any group of animals maintained on common ground for any purpose or (2) two or more groups of animals under common ownership or supervision, geographically separated but which have an interchange of animals without regard to whether the animals are infected or exposed.

002.31 HERD BLOOD TEST means a test as so defined in 9 C.F.R. §78.1 (2003).

002.32 IMPORT QUARANTINE means a restriction placed on animals by the issuance of a document by the Bureau. The quarantine shall restrict the movement of specific animals located in Nebraska or entering Nebraska. The document shall (1) list the animals restricted, (2) the reason for the restriction, (3) the conditions of the restriction, and (4) the conditions to be met to release the restrictions.

002.33 MARKET means a livestock auction market as defined in the Livestock Auction Act and livestock market as defined in the Nebraska Livestock Market Act and approved under 9 C.F.R. §71.20 (2003).

002.34 MODIFIED ACCREDITED ADVANCED STATE or ZONE means a state or zone that complies with the provisions of "Uniform Methods and Rules - Bovine Tuberculosis Eradication" and in which tuberculosis is prevalent in less than one-tenth of one percent (0.1%) of cattle herds in the state or 1-3 infected herds in states with fewer than 30,000 herds.

002.35 MODIFIED ACCREDITED STATE or ZONE means a state or zone that complies with the provisions of "Uniform Methods and Rules - Bovine Tuberculosis Eradication" for the past twelve (12) months and in which tuberculosis is prevalent in less than one-tenth of one percent (0.1%) of cattle herds in the state or a maximum of ten (10) infected herds in states with fewer than 10,000 herds.

002.36 NON-ACCREDITED STATE or ZONE means a state or zone that does not meet the minimum standards of "Uniform Methods and Rules - Bovine Tuberculosis Eradication" or in which tuberculosis is prevalent in one-

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half of one percent (0.5%) or more of the total number of herds of cattle in the state.

002.37 NON-INDIGENOUS CERVID ANIMALS means any cervine animal whose species is not native to Nebraska and shall include, but not be limited to sika deer, fallow deer, reindeer and Père David's deer.

002.38 OFFICIAL BRUCELLOSIS TEST means an official test for brucellosis as provided in 9 C.F.R. §78.1 (2003).

002.39 OFFICIAL CALFHOOD VACCINATE (OCV) means a female bovine or bison which has been vaccinated with an approved *Brucella abortus* vaccine between four (4) months and twelve (12) months of age and identified as provided in 9 C.F.R. §78.1 (2003).

002.40 OFFICIAL EARTAG means an APHIS approved identification eartag conforming to the nine-character alpha-numeric National Uniform Eartagging System which provides unique identification for each animal.

002.41 OFFICIAL GENOTYPE TEST means any test to determine the genotype of a live or dead animal that is conducted at either an approved laboratory or at the National Veterinary Services Laboratory when the animal is officially identified and the samples used for the test are collected and shipped to the laboratory by either an accredited veterinarian or a Department or APHIS representative.

002.42 OFFICIAL IDENTIFICATION means (1) individual identification with an official eartag or a breed registration tattoo or other identification approved by the Department, which is affixed to an animal and provides identification of such animal, or (2) a premises identification number (tattoo or tag) assigned by APHIS.

002.43 OFFICIAL PSEUDORABIES TEST means an official test for pseudorabies as provided in 9 C.F.R. §85.1 (2003).

002.44 OFFICIAL TUBERCULIN TEST means an official test for tuberculosis as provided in 9 C.F.R. §77.1 (2003).

002.45 OFFICIAL USDA MARKET BACKTAG means a backtag issued by APHIS for identifying livestock moving in commerce.

002.46 OWNER-SHIPPER STATEMENT means a statement signed by the owner or shipper of swine which states: (1) the number of swine to be moved; (2) the purpose for which the swine are to be moved; (3) the points of origin and destination; and (4) the consignor and the consignee, a copy of which is attached and incorporated herein by reference and is hereby adopted and promulgated.

002.47 PERMANENT INDIVIDUAL IDENTIFICATION means (1) a USDA approved silver, metal eartag which has a nine-character alpha-numeric identification; or (2) an ear tattoo which is legible and provides a unique number that can identify an individual animal. New tattoos applied in Nebraska shall have the state code "NE" followed by the domesticated cervine animal herd number in the right ear, along with a unique four (4) digit number on each animal that may be applied to either ear. All tattoos shall be at least three-eighths (3/8) inch high; or (3) a form of tamper-proof eartag, approved by the Department, which includes the domesticated cervine animal herd number and a unique animal number.

002.48 PERMIT FOR ENTRY or PERMIT means a pre-movement authorization for entry into the State of Nebraska obtained from the Bureau. This authorization shall state the conditions under which the movement may be made. The permit number shall be recorded on the Certificate of Veterinary Inspection.

002.49 PSEUDORABIES PROGRAM STANDARDS means those standards set forth in the State-Federal-Industry Program Standards for Pseudorabies Eradication, dated January 1, 2000, as approved by the Veterinary Services Division of the Animal and Plant Health Inspection Services (APHIS), an agency of the United States Department of Agriculture, a copy of which is attached and incorporated herein by reference and is hereby adopted and promulgated.

002.50 QUALIFIED PSEUDORABIES NEGATIVE HERD, QUALIFIED PSEUDORABIES NEGATIVE GROWOUT HERD, AND PSEUDORABIES MONITORED FEEDER-PIG HERD means such herd as provided for in the Pseudorabies Program Standards.

002.51 QUARANTINE FACILITY means any enclosure sufficient to prevent animals from coming into physical contact with any other animals or their body excrements.

002.52 RANDOM SAMPLE TEST (95/10) means a sampling procedure utilizing an official pseudorabies serologic test which provides a ninety-five percent (95%) probability of detecting infection in a herd in which at least ten percent (10%) of the swine are seropositive for pseudorabies. Each segregated group of swine on an individual premises shall be considered a separate herd and sampled by testing all up to thirty (30) head.

002.53 RATITE BIRD means any ostrich, emu, rhea, kiwi, or cassowary.

002.54 SCRAPIE HIGH-RISK ANIMAL means a sexually intact animal that is: (1) the progeny of a scrapie-positive dam; or (2) born in the same flock during the same lambing season as progeny of a scrapie-positive dam, unless the progeny of the scrapie-positive dam are from separate contemporary lambing groups; or (3) born in the same flock during the same lambing season that a scrapie-positive animal was born, or during any subsequent lambing season, if born before the flock completes the requirements of a flock plan; or (4) an exposed female sheep determined to be genetically susceptible or of an unknown genotype.

002.55 SCRAPIE INFECTED FLOCK means any flock in which a State or APHIS representative has determined that a scrapie-positive female has resided unless an epidemiologic investigation conducted by designated scrapie epidemiologist shows that the animal did not lamb or abort in the flock. A flock will no longer be considered an infected flock after it has completed the requirements of a flock plan.

002.56 SCRAPIE POSITIVE ANIMAL means an animal for which a diagnosis of scrapie has been made by an approved laboratory through one of the following: (1) Histopathological examination of the central nervous system (CNS) tissues from the animal for characteristic microscopic lesions or scrapie; (2) The use of proteinase-resistant protein analysis methods including but not limited to immunohistochemistry or western blotting on CNS or peripheral tissue samples from a live or dead animal for which a given

method has been approved by the Administrator for use on that tissue; (3) Bioassay; (4) Scrapie associated fibrils detected by electron microscopy; or (5) Any other test method approved by the Administrator in accordance with 9 C.F.R. 54.10.

002.57 SCRAPIE SOURCE FLOCK means a flock in which a Department or APHIS representative has determined that at least one animal was born that was diagnosed as a scrapie-positive animal at an age of seventy-two (72) months or less. The determination that an animal was born in a source flock shall be in accordance with the guidelines in 9 C.F.R. parts 54 and 79. A flock will no longer be a source flock after the requirements of a flock plan have been completed.

002.58 SCRAPIE SUSPECT ANIMAL means (1) a sheep or goat that exhibits any of the following possible signs of scrapie and that has been determined to be suspicious for scrapie by an accredited veterinarian or al department or APHIS representative. Possible signs include: weight loss despite retention of appetite; behavioral abnormalities; itching; wool pulling; biting at legs or side; lip smacking; motor abnormalities such as incoordination, high stepping gait of forelimbs, bunny hop movement of rear legs, or swaying of back end; increased sensitivity to noise and sudden movement; or tremor, star gazing, head pressing, recumbency, or other signs of neurological disease or chronic wasting; (2) A sheep or goat that has tested positive for scrapie or for the proteinase resistant protein associated with scrapie on a live-animal screening test or any other official test, unless the animal is designated a scrapie-positive animal; and (3) A sheep or goat that has tested inconclusive or suggestive on an official test for scrapie.

002.59 STAGE shall refer to the designation I, II, III, IV, and V assigned to a state or area of a state by APHIS with respect to the level of pseudorabies as defined in Part III of the Pseudorabies Program Standards.

002.60 TEST-ELIGIBLE CATTLE means all cattle over eighteen (18) months of age (as evidenced by the loss of the middle pair of temporary incisor teeth) except steers, spayed heifers, official calfhood vaccinates of the dairy breeds under twenty (20) months of age, and official calfhood vaccinates of the beef breeds and bison under twenty-four (24) months of age (as evidenced by the presence of the middle pair of permanent incisor teeth) which are not parturient or post-parturient.

002.61 USDA means the United States Department of Agriculture.

002.62 VISIBLE INDIVIDUAL IDENTIFICATION means identification that is used to differentiate a domesticated cervine animal from a wild cervine animal and shall consist of a plastic eartag that is at least one and three-fourths inches by one and three-fourths inches (1 3/4" x 1 3/4") in size, and shall be of a color that is clearly distinguishable from the animal on which it is placed.

002.63 VS FORM 1-27 means a USDA/APHIS/VS form, when properly completed, is a permit authorizing the movement of diseased or exposed animals, which shall be issued only by an accredited veterinarian or authorized regulatory personnel, a copy of which is attached and incorporated herein by reference and is hereby adopted and promulgated.

002.64 WILD PIG means all wild species in the family Suidae, including any Suidae exhibiting the morphological or behavioral characteristics of a wild pig, whether raised in captivity or not, including European wild boar.

003 Administration. These regulations shall be administered by the Department of Agriculture's Bureau of Animal Industry, located in the State Office Building, Fourth Floor, 301 Centennial Mall South, Lincoln, Nebraska. The mailing address is P.O. Box 94787, Lincoln, Nebraska 68509-4787. The telephone number is (402) 471-2351. The fax number is (402) 471-6893.

004 Importation of Animals in General.

004.01 No animal infected with, exposed to, or suspected of having been exposed to any infectious, contagious, or otherwise transmissible disease, or originates from a quarantined area, herd, or flock, shall be transported into the state, except those animals consigned to direct slaughter and accompanied by a VS Form 1-27 or Owner-Shipper Statement, and except those animals specifically allowed entry by a permit issued by the Bureau under Neb. Rev. Stat. §54-787.

004.02 Except as otherwise provided in this section, all animals brought into the state shall be accompanied by a complete and legible Certificate of Veterinary Inspection. Animals not required to be accompanied by a Certificate are: (a) animals brought directly to a federally recognized slaughter establishment, (b) cattle, swine, horses, sheep, and goats brought from the farm or ranch of origin directly to an establishment approved under 9 C.F.R. part 71,75,78, 79, or 85; (c) poultry under eight (8) weeks of age accompanied by a VS Form 9-3, "Report of Sales of Hatching Eggs, Chicks, and Poults", and classified prior to movement into Nebraska as pullorum and typhoid clean or equivalent status pursuant to the National Poultry Improvement Plan (NPIP), 9 C.F.R. 145 (2003), incorporated herein by reference and is hereby adopted and promulgated; and (d) animals moving directly to a veterinary clinic for diagnosis, treatment, or health examination.

004.03 The Certificate of Veterinary Inspection shall be signed by an accredited veterinarian who acknowledges the apparent absence of any infectious, contagious, or otherwise transmissible disease. The certificate shall contain the name and address of both consignor and consignee, the purpose of movement into the state, age, breed, sex, number of animals, the destination in the state, the description of the animals, and the identification and specific disease information for each species as prescribed in 23 NAC 2-005 to 014, below. If a permit for entry is required for movement into the state, the permit number shall be listed on the Certificate of Veterinary Inspection. Each Certificate of Veterinary Inspection shall be valid for thirty

(30) days from date of examination, unless otherwise stated by the Bureau, and no more than one (1) movement into the state. NPIP (National Poultry Improvement Plan) VS FORM 9-3, a copy of which is attached and incorporated herein by reference and is hereby adopted and promulgated, may be used as a Certificate of Veterinary Inspection for poultry under eight (8) weeks of age. A copy shall accompany the animal(s) and a copy shall be forwarded to the state of origin.

004.04 Animals entering the state without the proper documents, when required by these regulations, may be held in quarantine at the expense of the owner until released by the Bureau or may be immediately returned to the state of origin, and a citation may be issued.

004.05 No animal or shipment shall be diverted from the Nebraska destination stated on the Certificate of Veterinary Inspection, or similar document, except by permit issued by the Bureau.

004.06 All blood samples required for testing animals for movement into the state shall be drawn by or under the supervision of an accredited veterinarian and the tests shall be conducted by a state-federal laboratory or a laboratory approved by the state of origin prior to shipment.

004.07 Requests for permits for entry, when required by these regulations, shall be made to the Bureau, telephone number (402) 471-2351, which permit number shall be recorded on the Certificate of Veterinary Inspection and shall be valid for one (1) shipment only.

004.08 Whenever circumstances require an exception to these regulations, such exception may be granted by the Bureau. The exceptions shall be granted only when it is in the best interest of the livestock industry of Nebraska and when it is consistent with sound animal health practices. Applications for an exception shall completely and accurately describe the need for the exception. Exceptions granted shall be in writing although applicants may be advised in advance by telephone or in person that an exception has been granted.

004.09 All animals entering the state shall meet all federal regulations concerning the interstate movement of such animals.

004.10 Animals entering the state which are subject to post-entry import requirements shall be restricted to the location listed on the permit for entry and Certificate of Veterinary Inspection until released by the Bureau. Any post-entry testing required to release an import quarantine shall be done at owner expense.

004.11 The Bureau may issue greater restrictions should disease conditions warrant. These greater restrictions will be in the form of orders issued on a case by case basis as new disease concerns arise.

005 Importation of Cattle. In addition to those general requirements contained in 23 NAC 2-004, the following requirements shall be met:

005.01 Calves under two-hundred (200) pounds shall be individually identified prior to entry with metal official eartags identifying the herd of origin, meet the requirements in subsection 005.02; and

005.01A Originate from the farm or ranch where they were born and move directly to an approved livestock facility in Nebraska; or

005.01B They may be imported by state residents, or their agents provided that a permit for entry is first obtained and that the calves are moved directly to the destination named on the permit to be held for a minimum of sixty (60) days.

005.02 Tuberculosis (TB).

005.02A Cattle which originate from a herd not under quarantine for tuberculosis in an accredited-free state or zone, or country recognized by APHIS to be free of TB, or that are being moved direct to slaughter at a federally recognized slaughter establishment may be imported without further restriction of this subsection.

005.02B Cattle which originate from a herd not under quarantine for tuberculosis in a modified accredited advanced state or zone may be imported into the state under the following conditions:

005.02B(1) Beef cattle and bison less than twelve (12) months of age and sexually altered cattle of any age shall obtain a permit for entry.

005.02B(2) All sexually intact beef cattle and bison twelve (12) months of age and older shall obtain a permit for entry, be officially identified; and

005.02B(2)(a) Originate from an accredited herd, with the accredited herd number listed on the Certificate of Veterinary Inspection; or

005.02B(2)(b) Originate from a herd that has had a negative whole herd test within three hundred sixty-five (365) days prior to entry and the individual animals to be imported shall have been part of the whole herd test; or

005.02B(2)(c) Shall have been individually tested and found negative to tuberculosis within sixty (60) days prior to entry.

005.02B(3) Dairy cattle under six (6) months of age shall have originated from a herd that has had a negative whole herd test

within three hundred sixty-five (365) days, obtained a permit for entry prior to entry, have an official eartag, and shall be quarantined until testing negative for tuberculosis within sixty (60) days after reaching six (6) months of age.

005.02B(4) Dairy cattle six (6) months of age and older from an accredited herd shall have originated from a herd that has had a negative whole herd test within three hundred sixty-five (365) days, obtained a permit for entry prior to entry, have an official eartag, and individual animals shall be tested and found negative within sixty (60) days prior to entry if not included in the most recent whole herd test.

005.02B(5) Dairy cattle six (6) months of age and older from a non-accredited herd shall have originated from a herd that has had a negative whole herd test within three hundred sixty-five (365) days (assembled groups may qualify as a herd if all animals in the group from which the animals consigned to Nebraska are shipped from have been together for over ninety (90) days and have been tested and found negative for tuberculosis), obtained a permit for entry prior to entry, have an official eartag, and all individual animals shall be tested and found negative within sixty (60) days prior to entry.

005.02C Cattle which originate from a herd not under quarantine for tuberculosis in a modified accredited state or zone may be imported under one of the following conditions:

005.02C(1) The cattle originate from an accredited herd and, shall;

005.02C(1)(a) Have obtained a permit for entry; and

005.02C(1)(b) Have listed their accredited herd number on the Certificate of Veterinary Inspection; and

005.02C(1)(c) Be individually identified with the identification listed on the Certificate of Veterinary Inspection; and

005.02C(1)(d) Have tested negative to an official tuberculin test within sixty (60) days prior to entry.

005.02C(2) The cattle originate from a herd, which has tested negative to an official whole herd tuberculin test within three hundred sixty-five (365) days prior to entry, and shall:

005.02C(2)(a) Have obtained a permit for entry; and

005.02C(2)(b) Be individually identified with the identification listed on the Certificate of Veterinary Inspection; and

005.02C(2)(c) Have tested negative to an official tuberculin test within sixty (60) days prior to entry; and

005.02C(2)(d) Be quarantined at destination until slaughtered or until tested negative to an official tuberculin test.

005.02D Cattle originating from an accreditation preparatory state or zone shall only be imported if they originate from an accredited herd, and shall:

005.02D(1) Obtain a permit for entry;

005.02D(2) Have their accredited herd number listed on the Certificate of Veterinary Inspection;

005.02D(3) Be individually identified, by means of a metal tag approved by USDA, APHIS, VS and the identification shall be listed on the Certificate of Veterinary Inspection; and

005.02D(4) Test negative to two (2) official tuberculin tests prior to entry. The first test shall have been conducted sixty to one hundred twenty (60 - 120) days prior to entry and the second test zero to sixty (0 - 60) days prior to entry.

005.02E Cattle entering Nebraska from states or zones that are not accredited-free, excluding non-accredited states or zones, may move to an approved livestock facility in Nebraska only when such cattle are accompanied by documents which verify the animals have met the requirements as outlined above.

005.02F Cattle which originate from a herd in a nonaccredited state or zone are prohibited from being imported into the state of Nebraska, except when being moved directly to a federally recognized slaughter establishment.

005.03 Brucellosis.

005.03A The following cattle shall be allowed to enter the state with no further restrictions regarding brucellosis:

005.03A(1) Steers and spayed female cattle and bison; or

005.03A(2) Cattle less than test-eligible age originating from a certified brucellosis-free herd, a Class Free state, a Class A state, or from a country recognized by APHIS as free of brucellosis; or

005.03A(3) Test-eligible cattle originating directly from a certified brucellosis-free herd, a Class Free state, or a country recognized by APHIS as free of brucellosis; and

005.03A(3)(a) Such cattle shall be identified with individual official identification and such individual official identification shall be recorded on the Certificate of Veterinary Inspection, or

005.03A(3)(b) A brand recorded in a brand registry. The brand inspection certificate number shall be recorded on the Certificate of Veterinary Inspection and the brand inspection certificate shall accompany the shipment.

005.03B Test-eligible cattle originating from a Class A state shall meet the following requirements:

005.03B(1) Such cattle shall be identified with individual official identification and such individual official identification shall be recorded on the Certificate of Veterinary Inspection.

005.03B(2) Shall be tested and found to be negative to an official test for brucellosis within thirty (30) days prior to entry into Nebraska.

005.04 Rodeo Bulls. Test-eligible rodeo bulls from a herd not known to be affected with brucellosis may move into Nebraska provided they have met the applicable requirements of subsection 005.02; and

005.04A The bull(s) are tested and found negative to an official brucellosis test conducted less than three hundred and sixty-five (365) days prior to entry; Provided, however, that the official brucellosis test is not required for a bull that is moved only between class free states; and

005.04B The bull(s) are identified with an official eartag; and

005.04C No change of ownership since the date of the last official brucellosis test; and

005.04D A Certificate of Veterinary Inspection accompanies the movement of the bull(s) into Nebraska; and

005.04E A permit has been issued within thirty (30) days prior to entry and the permit number is listed on the Certificate of Veterinary Inspection.

005.05 Commuter and Grazing Permits. The Bureau may enter into written agreements with adjacent states setting forth conditions under which commuter and grazing permits may be issued. Movement of cattle for such purposes shall be in accordance with 9 C.F.R. §78.9 (2003).

005.06 Cattle of Mexico origin shall meet the requirements in 23 NAC 2-011.

006 Importation of Swine. In addition to those general requirements contained in 23 NAC 2-004, the following requirements shall be met:

006.01 General Requirements.

006.01A Wild pigs are prohibited from entering Nebraska pursuant to the Nebraska Administrative Code, Title 163, Chapter 4.

006.01B All swine changing ownership and moving to a destination in Nebraska shall move directly or through no more than one (1) concentration point, and shall be confined to the premises of destination for not less than thirty (30) days, unless moving directly to slaughter, or permission has been granted for other movement by the Bureau.

006.01C All swine imported for feeding or breeding shall have official identification and the identification shall be recorded on the Certificate of Veterinary Inspection.

006.02 Feeder Swine.

006.02A Feeder swine imported into Nebraska shall originate from:

006.02A(1) A herd which is located in a state or area of a state which is classified as Stage IV or V, or a country recognized by APHIS as being free of pseudorabies; or

006.02A(2) A qualified pseudorabies negative herd or qualified pseudorabies negative growout herd; or

006.02A(3) A herd in a Stage III area, not located within two (2) miles of a herd quarantined for pseudorabies, where a random sample test (95/10) of the breeding herd has been conducted within three hundred sixty-five (365) days prior to entry; or

006.02A(4) A herd in a Stage III area located within two (2) miles of a herd quarantined for pseudorabies, meeting the following requirements:

006.02A(4)(a) The premises have been negative to a random sample test (95/10) conducted within thirty (30) days prior to movement, and

006.02A(4)(b) Feeder swine thirteen (13) weeks and older have been vaccinated for pseudorabies at least ten (10) days prior to shipment, or feeder swine under thirteen (13) weeks of age originate from a sow herd which has been vaccinated for pseudorabies within the past six (6) months, and

006.02A(4)(c) An import quarantine shall be issued. The quarantine shall be released when the swine move to slaughter or a random sample test (95/10) of the shipment has been tested no sooner than thirty (30) days after arrival and found negative and the swine are in full compliance with the Animal Importation Regulations.

006.02B A permit for entry is required for all feeding swine originating from a state or area of a state which is not classified as Stage IV or V or from a country not recognized by APHIS as being free of pseudorabies.

006.03 Breeding Swine.

006.03A Breeding swine imported into Nebraska shall meet the following requirements:

006.03A(1) Brucellosis requirements. Swine over four (4) months of age shall be tested and found to be negative to an official brucellosis test within thirty (30) days prior to entry, or shall originate directly from:

006.03A(1)(a) A validated brucellosis-free herd; or

006.03A(1)(b) A herd in a validated brucellosis-free state; or

006.03A(1)(c) A country recognized by APHIS to be free of brucellosis.

006.03A(2) Pseudorabies requirements. Swine originate directly from:

006.03A(2)(a) A herd in a Stage III area that is testing monthly and is:

006.03A(2)(a)(i) A qualified pseudorabies negative herd; or

006.03A(2)(a)(ii) A qualified pseudorabies negative growout herd; or

006.03A(2)(b) A state or area of a state classified as Stage IV or V, or a country recognized by APHIS as being free of pseudorabies.

006.03B A permit for entry is required for all breeding swine originating from a state or area of a state which is not classified as Stage IV or V, or from a country not recognized by APHIS as being free of pseudorabies.

006.03C Swine imported for breeding purposes from a state or area of a state not classified as Stage IV or V or from a country not recognized by APHIS as being free of pseudorabies shall be isolated and quarantined and a random sample test (95/10) of the consignment conducted in not less than fifteen (15), nor more than forty-five (45) days after arrival in Nebraska, and

006.03C(1) If such swine are less than four (4) months of age, they shall be quarantined and a random sample test (95/10) conducted after they reach four (4) months, but before they reach six (6) months of age.

006.03D Swine semen imported into the state from herds not in Stage IV or V areas or states, shall originate from pseudorabies qualified negative herds.

006.03E Swine from pseudorabies quarantined herds moving to Nebraska slaughter establishments shall move on a VS Form 1-27, and shall move direct to slaughter in trucks sealed by state or federal regulatory personnel or an accredited veterinarian and such truck shall be cleaned and disinfected.

006.04 Commuter Agreements. The Bureau may enter into written agreements with adjacent states setting forth conditions under which swine may move interstate within a swine production system in accordance with 9 C.F.R. 71.19(h) (2003).

007 Importation of Sheep and Goats. In addition to those general requirements contained in 23 NAC 2-004, the following requirements shall be met:

007.01 Sheep and goats over six (6) months of age imported for breeding purposes shall obtain a permit for entry.

007.01A As of January 1, 2004, for any scrapie exposed sheep imported for breeding purposes, the results of an official genotype test

shall be included on, or attached to, the permit and shall be QR or RR at codon 171.

007.02 All sheep and goats imported into the State of Nebraska shall be individually identified according to the requirements of Scrapie Eradication Program 9 C.F.R. §79.2 (2003) with the official identification recorded on the Certificate of Veterinary Inspection.

007.03 As of January 1, 2004, scrapie-positive animals, scrapie suspect animals, and sheep or goats from any noncompliant flock are prohibited from being imported into the State of Nebraska.

007.04 As of January 1, 2004, sexually intact animals at high-risk for scrapie and non-high-risk animals from an infected or source flock require a permit for entry and are only allowed to be imported into the State of Nebraska if they are being sold direct to slaughter, through slaughter channels to slaughter, or to feedlots for later movement to slaughter.

007.05 As of January 1, 2004, pregnant animals and animals with a visible vaginal discharge that are scrapie exposed, or considered high-risk, require a permit for entry and may only be imported direct to slaughter.

008 Importation of Equidae. In addition to those general requirements contained in 23 NAC 2-004, the following requirements shall be met:

008.01 Equidae shall be accompanied by a Certificate of Veterinary Inspection which certifies that such equidae, originating from states other than South Dakota, have been tested and found negative for Equine Infectious Anemia (EIA) within one (1) year of shipment into the State of Nebraska, except that foals under six (6) months of age accompanying their dam shall be exempt from this requirement. The name of the laboratory performing the EIA test and date of such test shall be stated on the Certificate of Veterinary Inspection; or

008.02 Horses going directly to a federally recognized slaughter establishment or through an approved livestock facility to a federally recognized slaughter establishment shall be exempt from the Equine Infectious Anemia (EIA) testing requirement.

009 Importation of Dogs and Cats. In addition to those general requirements contained in 23 NAC 2-004, the following requirements shall be met:

009.01 All dogs and cats entering the state shall be accompanied by a Certificate of Veterinary Inspection which certifies such dog or cat is currently immunized against rabies; or

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009.02 Dogs and cats, over three (3) months of age, not vaccinated for rabies imported into the state shall be vaccinated against rabies within thirty (30) days after arrival, in accordance with Neb. Rev. Stat. §§71-4401 to 71-4412 and the rules and regulations adopted and promulgated thereunder by the Nebraska Department of Health and Human Services. All inquiries concerning rabies vaccination should be made to the Department of Health and Human Services which is located in the State Office Building, Third Floor, 301 Centennial Mall South, Lincoln, Nebraska 68509. The telephone number is (402) 471-2133.

010 Importation of Poultry and Ratite Birds. In addition to those general requirements contained in 23 NAC 2-004, the importation requirements for poultry and ratite birds to control and eradicate hatchery-disseminated diseases shall be as prescribed by the Nebraska Poultry Disease Control Act, Neb. Rev. Stat. §§2-3001 to 2-3008, and 23 NAC 9, adopted thereunder, and the following:

010.01 Poultry under eight (8) weeks of age shall:

010.01A Be accompanied by a VS Form 9-3;

010.01B Obtain a pre-assigned Out-of-State Poultry Permit; and

010.01C Originate from an National Poultry Improvement Plan (NPIP) participating flock or hatchery, or flock with equivalent status, pursuant to 9 C.F.R. 145.

010.02 Poultry over eight (8) weeks of age shall:

010.02A Be accompanied by a Certificate of Veterinary Inspection;

010.02B Obtain a permit for entry; and

010.02C Originate from an NPIP participating flock or be individually tested and found to be negative for pullorum and typhoid within 90 days of importation.

011 Importation of Mexico Origin Cattle. In addition to those general requirements contained in 23 NAC 2-004, cattle which have lived any part of their lives in Mexico may enter the state provided they are accompanied by a Certificate of Veterinary Inspection and the following requirements are met:

011.01 All such cattle have entered the United States by meeting the pertinent requirements of 9 C.F.R. §§93.424, 93.425, 93.426, 93.427, and 93.429 (2003); and

011.02 A permit for entry shall be obtained for such cattle except for cattle moving direct to slaughter; and

011.03 All such cattle are individually identified by a USDA official eartag or an official eartag issued by the Mexican Ministry of Agriculture and Water Resources (SARH). The individual official identification shall be recorded on the Certificate of Veterinary Inspection.

011.04 Brucellosis requirements (except steers and spayed female cattle).

011.04A All female cattle over four (4) months of age, shall be officially calfhood vaccinated; and

011.04A(1) All cattle which are test-eligible age shall be tested and found to be negative to an official brucellosis test conducted within thirty (30) days prior to entry into Nebraska and remain at the Nebraska destination under quarantine until they are subjected to an official brucellosis test conducted at least sixty (60) but not more than one hundred and twenty (120) days after entry into Nebraska.

011.04A(2) All cattle which are less than test-eligible age, may enter Nebraska provided such cattle remain at the destination in Nebraska under quarantine until they are moved to slaughter, or become test-eligible age and are subjected to an official brucellosis test conducted within one hundred and twenty (120) days after reaching test-eligible age.

011.05 Tuberculosis requirements.

011.05A All cattle shall be subjected to an official tuberculin test and found to be negative within sixty (60) days prior to entry into Nebraska. Such cattle shall remain at the Nebraska destination under quarantine until they have been subjected to an official tuberculin test conducted at least sixty (60) days after the date of the importation tuberculin test, but not more than one hundred and twenty (120) days after entry into Nebraska; except

011.05B Steers and spayed female cattle may move to a feedlot in Nebraska where adequate separation is maintained to prevent contact with animals being fed for purposes other than slaughter. Such cattle will be placed under an import quarantine until moved to slaughter. The person responsible for the cattle, shall notify the Bureau when, and where the cattle are slaughtered; except

011.05B(1) Steers and spayed female cattle which have been tested and found negative to an official tuberculin test conducted at least sixty (60) days after the date of the importation test, may move into Nebraska for grazing or feeding with no further restrictions regarding tuberculosis.

011.06 In lieu of a retest for brucellosis and tuberculosis listed above, the owner may sign a statement that the cattle will be slaughtered within one

hundred eighty (180) days of entry into the state. The owner shall notify the Bureau when and where the cattle are slaughtered to release the quarantine.

012 Importation of Cervidae. In addition to those general requirements contained in 23 NAC 2-004, the following requirements shall be met:

012.01 Cervidae (with the exception of white-tail deer, mule deer, and red deer, or any of their hybrids) may enter the state when they are accompanied by a Certificate of Veterinary Inspection; and

012.01A A permit for entry is issued by the Bureau to a premises with a valid Domesticated Cervine Animal Permit issued by the Department; and

012.01B The cervidae shall be individually identified by both permanent individual identification and visible individual identification and all identification numbers shall be recorded on the Certificate of Veterinary Inspection; and

012.01C Cervidae less than six (6) months of age that accompany their dam will be subject to the same retest requirements as their dam, but will not require any brucellosis or tuberculosis testing prior to importation into Nebraska; and

012.01D Cervidae less than six (6) months of age that do not accompany their dam will be subject to an official cervidae test for brucellosis and tuberculosis in not less than one hundred and twenty (120) days, but not more than three hundred and sixty-five (365) days after importation in Nebraska; and

012.01E Cervidae imported into Nebraska shall have moved through no more than one concentration point within the previous ninety (90) days.

012.02 Chronic Wasting Disease (CWD) Requirements.

012.02A No elk shall be allowed to be imported into Nebraska from any province in Canada that has had a confirmed CWD-positive animal, or from an area that has been determined to be a CWD-endemic area in the United States, or from a cervid herd that is quarantined for any purpose, or has been determined to be exposed to CWD within the past sixty (60) months.

012.02B Cervids to be imported into the state shall originate from a herd which has participated for, at least, sixty (60) months in a Chronic Wasting Disease (CWD) Monitoring Program which is determined by the Bureau to be equivalent to the Nebraska CWD-Monitoring Program, a copy of which is attached and incorporated herein.

012.02B(1) Cervids that are going to a cervid hunt pasture shall originate from a herd that has participated in a CWD Monitoring Program for at least thirty-six (36) months.

012.02C No cervid animal(s) of a species indigenous to Nebraska shall be allowed to be imported into the state without the Nebraska Cervid Risk Assessment Forms, provided by the Bureau, accompanying the Certificate of Veterinary Inspection. The forms shall include a statement signed by the owner or seller stating that the herd of origin has had no diagnoses of CWD for the past sixty (60) months, or thirty-six (36) months for cervids moving to a cervid hunt pasture, the herd has been enrolled in a CWD-Monitoring Program for at least sixty (60) months, or thirty-six (36) months for cervids moving to a cervid hunt pasture, and the purpose for movement. The owner shall also include a herd addition form, a death loss report, an inventory of imported animals, and a list of all previous and current veterinarians, all of which are included in the Nebraska Cervid Risk Assessment Forms.

012.02D Non-indigenous cervid animal(s) shall not be allowed to be imported into Nebraska without a form provided by the Bureau accompanying the Certificate of Veterinary Inspection containing a statement signed by the owner or seller certifying the animal(s) has not spent any time within the past thirty-six (36) months in a zoo, animal menagerie, or like facility, and has not resided on the same premises as a cervid herd which has been classified as a CWD-infected herd, CWD-exposed herd, or a CWD-trace herd, and has not resided in any area determined to be an CWD-endemic area. The owner shall also include a herd addition form and an inventory of imported animals.

012.02E Cervids being granted entry into the state are required to be held separate and apart from other cervids until inspected by a Bureau veterinarian or livestock inspector.

012.03 Brucellosis requirements for cervidae other than 012.01C and 012.01D above.

012.03A Cervidae six (6) months of age and older shall be tested and found to be negative by an official brucellosis test for cervidae conducted within ninety (90) days prior to entry, or originate directly from a certified brucellosis free herd.

012.04 Tuberculosis requirements for cervidae other than 012.01C and 012.01D above.

012.04A Cervidae of any age imported into Nebraska directly from a tuberculosis accredited herd do not require tuberculosis testing prior to or after arrival in Nebraska; or

012.04B Cervidae over six (6) months of age imported into Nebraska directly from a tuberculosis qualified or monitored herd shall be tested

and found to be negative by an official tuberculin test for cervidae within ninety (90) days prior to entry into the state; or

012.04C Cervidae over six (6) months of age imported into Nebraska directly from a herd which is not tuberculosis monitored, qualified, or accredited shall be segregated from other animals and subjected to two official tuberculosis tests for cervidae and found to be negative. Such tests shall be at least ninety (90) days, but not more than three hundred and sixty-five (365) days apart with the last test being within ninety (90) days prior to entry into the state.

013 Importation of Exotic Animals. In addition to those general requirements contained in 23 NAC 2-004, the following requirements shall be met:

013.01 A permit for entry shall be obtained from the Bureau prior to each shipment; and

013.02 The following species shall meet the additional requirements:

013.02A Camels over six (6) months of age shall be tested and found to be negative for brucellosis and tuberculosis within sixty (60) days prior to entry into the state.

013.02B Yaks over six (6) months of age shall be tested and found to be negative for brucellosis and tuberculosis within sixty (60) days prior to entry into the state.

013.02C Zebras shall comply with section 008 prior to entry into the state.

013.02D Psittacine birds shall be found to be free of signs of psittacosis for sixty (60) days prior to entry into the state.

013.03 In addition to the above requirements, these animals shall meet any requirements of the United States Fish and Wildlife Service and the Nebraska Game and Parks Commission. Game and Parks Commission regulations provide that it shall be unlawful to import into the state Asian raccoon dogs, white-tail deer, mule deer, and red deer or any of its hybrids, and wild pigs. (See Title 163, Chapter 4, Nebraska Game and Parks Commission - Wildlife Regulations, Keeping Wildlife in Captivity, 008.07 Restricted Species.)

014 Publications Adopted. See Appendix A through K, which are hereby incorporated by reference.

015 Annotation. Neb. Rev. Stat. §§54-784.01, 54-792 to 54-795, 54-701.01, 54-753.05, 54-1370 (Reissue 1998); §§54-701, 54-701.02 to 54-701.03, 54-703 to 54-705, 54-2302 to 54-2324 (Cum. Supp. 2002); §§54-785 to 54-788, 54-790 to 54-791, 54-796, 54-1509, 54-1517, 54-2701 to 54-2761 (Supp. 2003).

APPENDIX

- A. VS Form 9-3
- B. VS Form 1-27
- C. Pseudorabies Eradication (State-Federal-Industry Program Standards) effective January 1, 2000, edition
- D. Owner-Shipper Statement Form PR - OSS
- E. Nebraska Cervid Risk Assessment Forms Imp20, Imp15, Imp16, Imp17
- F. Code of Federal Regulations, sections 54, 55, 71, 75, 77, 78, 79, 85 and 145 of Title 9
- G. "Uniform Methods and Rules - Bovine Tuberculosis Eradication" (1999)
- H. "Bovine Brucellosis: Uniform Methods and Rules" (1998)
- I. Certificate of Veterinary Inspection
- J. Out of State Poultry Permit
- K. Nebraska CWD Monitoring Program Standards